

**Before the State of South Carolina
Department of Insurance**

In the matter of:
Charles S. McDonald
2630 Piney Grove Road
Gresham, S.C. 29546

SCDOI File Number: 125594.

**Consent Order Revoking Insurance
Producer's Licensing Privileges**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Charles S. McDonald, a licensed resident South Carolina insurance producer.

Upon review of this matter, I hereby find as fact, that above named respondent, while licensed to do business as a resident insurance producer within the State of South Carolina for Southern Farm Bureau Life Insurance Company, "allowed a customer's spouse to sign her husband's name to a supplemental application, thus resulting in the respondent's termination." Mr. McDonald has acknowledged this violation, and understands that these actions could ultimately lead to the revocation of his license to transact the business of insurance as producer within South Carolina, following a public hearing at the Administrative Law Court.

The respondent was informed of his statutory privilege to request a public hearing but has waived his right to do so. Subsequently, the parties agreed, rather than proceed forward with a formal public hearing, to submit the entire matter to me, along with their specific recommendations, for my summary decision based solely upon the record. That mutual recommendation was that Mr. McDonald would voluntarily surrender his license for revocation.

Section 38-43-130 of the South Carolina Code of Administrative Laws provides..."the Director of Insurance "may revoke a producer's license after ten days' notice or refuse to reissue a license for violating any of South Carolina's Insurance Laws or regulations."

In accordance with my findings of fact, I now conclude, as a matter of law, that Charles McDonald has violated S.C. Code Ann. § 38-43-130(Supp.2004). As a result, I can now take administrative action against his resident insurance producers' license.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.* (1991 and Supp.2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the

provisions of this title which he considers necessary to report.” S.C. Code Ann. § 38-3-110(4) (2004).

It is therefore ordered that all licensing privileges of Charles S. McDonald to do business as a resident insurance producer within the State of South Carolina be, and are hereby, revoked and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him, thereafter.

It is further ordered that a copy of this consent order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Mr. McDonald is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer within the State of South Carolina.

This consent order becomes effective as of the date of my signature below.

A handwritten signature in cursive script that reads "Eleanor Kitzman".

Eleanor Kitzman
Director

Nov 3, 2005, at
Columbia, South Carolina

I CONSENT:

Name:



Signature

Title:

Address: 2630 Piney Grove Rd
Gresham, SC 29546

Dated this 29th day of Oct, 2005.